

Fill in this information to identify your case and this filing:

Debtor 1 **Elizabeth Ann Wirth**
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **EASTERN DISTRICT OF WISCONSIN**

Case number **18-26528**

☒ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1

988 Knollwood Rd

Street address, if available, or other description

West Bend WI 53095-0000

City State ZIP Code

Washington

County

What is the property? Check all that apply

- ☒ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☒ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

Fair market value as estimated on recent market analysis
Jointly owned with sister

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?
\$519,800.00

Current value of the portion you own?
\$259,900.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Fee simple

☐ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$259,900.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles☐ No☒ Yes

3.1 Make: Jaguar
 Model: XJ6
 Year: 1987
 Approximate mileage: 45,000
 Other information:

**Vehicle needs a new transmission, repair to seats, small rust spots, dent on front right near tire
 KBB average retail price is less than estimated repairs
 Received from parent in 2011**

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property
 (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?**Current value of the portion you own?**\$900.00\$900.00

3.2 Make: Infiniti
 Model: M35X
 Year: 2007
 Approximate mileage: 215,000
 Other information:

Co-signed by M. Wirth (son)

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another

☐ Check if this is community property
 (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?**Current value of the portion you own?**\$4,000.00\$2,000.00

3.3 Make: Nissan
 Model: Rogue
 Year: 2011
 Approximate mileage: 77,246
 Other information:

NADA clean retail value

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property
 (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?**Current value of the portion you own?**\$10,275.00\$10,275.00**4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$13,175.00**Part 3: Describe Your Personal and Household Items****Do you own or have any legal or equitable interest in any of the following items?**

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No☒ Yes. Describe.....

Household goods and furnishings including beds, night stands, dressers, dining room table and chairs, sofas, entertainment center, lamps, rugs, dishes, pots and pans, microwave, appliances, 1 painting of the lake (local artist) and miscellaneous personal items that are co-owned with sister

\$1,048.50

Household goods and furnishings that are Ms. Wirth's only (some table, couch, personal items, books, memorabilia

\$1,200.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☒ Yes. Describe.....

Electronics: TVs, cell phones

\$300.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☐ No

☒ Yes. Describe.....

Books, DVDs, and pictures

\$125.00

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☒ No

☐ Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No

☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.....

Used clothing, shoes, and accessories

\$500.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe.....

Costume and/or fine jewelry and watches: mother's engagement ring, gold necklace with pendants, costume jewelry

\$2,500.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☐ No

☒ Yes. Describe.....

Two dogs, "Noodles" and "Bentley"\$0.00

14. Any other personal and household items you did not already list, including any health aids you did not list

- ☒ No
☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$5,673.50**Part 4: Describe Your Financial Assets**

Do you own or have any legal or equitable interest in any of the following?

**Current value of the
portion you own?**
Do not deduct secured
claims or exemptions.16. **Cash***Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

- ☒ No
☐ Yes.....

17. **Deposits of money***Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

- ☐ No
☒ Yes.....

Institution name:

Port Washington State Bank
Checking acct # xxx7805
Savings acct# xxxxxxxx961
Account balances as of 7/2/18

17.1. **Checking, savings**\$1,830.00

**Funds held in attorney trust account subject
to agreement**

Joint with sister, Kristen Eickhorst
\$20,179.13

17.2. **IOLTA**\$0.0018. **Bonds, mutual funds, or publicly traded stocks***Examples:* Bond funds, investment accounts with brokerage firms, money market accounts

- ☒ No
☐ Yes..... Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**

- ☒ No
☐ Yes. Give specific information about them.....
Name of entity:

% of ownership:

20. **Government and corporate bonds and other negotiable and non-negotiable instruments***Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.

- ☒ No
☐ Yes. Give specific information about them
Issuer name:

21. **Retirement or pension accounts***Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

- ☐ No
☒ Yes. List each account separately.
Type of account: Institution name:

Pension

Ms. Wirth receives \$4,013.23 a month in pension from the Wisconsin Retirement System Annuity Value as of 8/2016 when it was valued for Ms Wirth's divorce. It has not been valued since then.

\$529,351.00**22. Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No☐ Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)☒ No☐ Yes.....

Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No☐ Yes.....

Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit☒ No☐ Yes. Give specific information about them...**26. Patents, copyrights, trademarks, trade secrets, and other intellectual property**

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No☐ Yes. Give specific information about them...**27. Licenses, franchises, and other general intangibles**

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No☐ Yes. Give specific information about them...**Money or property owed to you?**

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you☒ No☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....**29. Family support**

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No☐ Yes. Give specific information.....**30. Other amounts someone owes you**

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No☐ Yes. Give specific information..**31. Interests in insurance policies**

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☐ No☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund

value:

WRS term life insurance policy
No cash surrender value**Son****\$0.00****32. Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No☐ Yes. Give specific information..**33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No☐ Yes. Describe each claim.....**34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**☐ No☒ Yes. Describe each claim.....

Ms. Wirth and her son believe that she has an equitable interest in land (Tax Parcel 13-023-06-0007.00, Cedarburg, Ozaukee County, Wisconsin, 17.07 acres) that should be titled to the Wirth Investment Co., but that was incorrectly transferred to the Trust in 2007 (95% ownership and 5% to a third party. This error was not discovered until 1.5 years ago. This claim is disputed by other family members.

Land valued at \$768,000.00 of which she would own 2% (of the 95%) due to her 2% interest in the Wirth Investments.

Unknown**35. Any financial assets you did not already list**☐ No☒ Yes. Give specific information..

Wirth Investment Co (Limited Partnership)
Started 1986 by Debtor's father; the entity became a family limited partnership in 2001 formed to manage the corpus of Clyde and Joan Wirth Revocable Trust.

Ms. Wirth has a 2% share in the above-described limited partnership - each of 4 siblings has 2% and father (Clyde Wirth) owns rest (90%). Upon information and belief, the partnership owns nothing and has no debts.

2015 income \$540.00 per K1
2016 income \$740.00 per K1
2017 income \$14,797 per K1 (income due to sale of apartment complex Used clothing, shoes, and accessories **not** titled to Trust, but the partnership claimed rents as income)

\$0.00

Divorce equalization payment \$33,236
Court ordered 9/2017; balance due \$28,773.74
Former spouse filed a Chapter 13 bankruptcy and this debt may be discharged.
Value \$0.00

\$0.00

Settlement Agreement re partition action filed by John Wirth and Mary Wirth
988 Knollwood, Lots 1 and 2, West Bend WI 53095, was once owned by 4 siblings: John, Mary, and Elizabeth "Betsy" Wirth and Kristen Eickhorst; John and Mary sued Betsy and Kristen in a partition action in Washington County: 15CV547. That was settled 9/29/2016. The settlement agreement provided some conditions:
Per the settlement, John and Mary were to quit claim their ¼ shares in the property to Betsy Wirth and Ms. Eickhorst. SA para 4. Also, per agreement, John and Mary Wirth took a note and mortgage for \$325,000.00 on 988 Knollwood (LOT 1 and LOT 2). The note was not intended to be paid unless and until the family trust made a distribution in the four children's favor; however, the SA contained language about the possible future sale of one of the lots of the Knollwood property. In the event that one lot was sold, in exchange for a partial release of the mortgage by John and Mary, the proceeds of the sale were to be used were to be used for real estate taxes, repairs and and improvements to the remaining lot. The lot was sold in 2018 and proceeds are now held by Atty Cade in his client trust account. SUBJECT TO THE SETTLEMENT AGREEMENT, funds can only be used for improvement on Lot 1 (988 Knollwood).

\$10,089.57

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$541,270.57

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

- ☒ No. Go to Part 6.
☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2			<u>\$259,900.00</u>
56. Part 2: Total vehicles, line 5	<u>\$13,175.00</u>		
57. Part 3: Total personal and household items, line 15	<u>\$5,673.50</u>		
58. Part 4: Total financial assets, line 36	<u>\$541,270.57</u>		
59. Part 5: Total business-related property, line 45	<u>\$0.00</u>		
60. Part 6: Total farm- and fishing-related property, line 52	<u>\$0.00</u>		
61. Part 7: Total other property not listed, line 54	<u>\$0.00</u>		
	+		
62. Total personal property. Add lines 56 through 61...	<u>\$560,119.07</u>	Copy personal property total	<u>\$560,119.07</u>
63. Total of all property on Schedule A/B. Add line 55 + line 62			<div><u>\$820,019.07</u></div>

Fill in this information to identify your case:

Debtor 1 Elizabeth Ann Wirth
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: EASTERN DISTRICT OF WISCONSIN

Case number 18-26528
(if known)

☐ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

 Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____ Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X /s/ Elizabeth Ann Wirth
Elizabeth Ann Wirth
Signature of Debtor 1

X _____
Signature of Debtor 2

Date October 9, 2018

Date _____